IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 515 OF 2006

Maqbool Ahmed Y. Sayed.] .. Petitioner

Versus

1. Brihanmumbai Municipal Corporation and ors.] .. Respondents

Ms.P.D'Souza with Ms.B. D'Souza i/b M.P. Vashi & Associates for the petitioners.

Ms. T. Kaushik for the respondents.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA, JJ.

DATED: 09TH MARCH, 2006

P.C. :

. The relief sought for by the petitioner is for reconstruction of a construction which is already demolished. It is submitted that the demolition was without following due procedure.

2. If that be the case, it will always be open to the petitioner to sue the Corporation for damages. At any rate, the relief in the nature sought for cannot be granted by a Writ Court. Any construction which is to be put up, must be in conformity with the development

rules in force. It will always be open to the petitioner to apply to the Corporation for necessary permission for putting up a construction, if in law petitioner is so entitled.

3. With the above observation, Petition stands disposed of.

Sd/-
[F.I. REBELLO, J.]

Sd/-
[ANOOP V. MOHTA, J.]